

BOIES SCHILLER FLEXNER LLP

David Boies (admitted pro hac vice)
333 Main Street
Armonk, NY 10504
Tel.: (914) 749-8200
dboies@bsfllp.com

Mark C. Mao, CA Bar No. 236165
Beko Reblitz-Richardson, CA Bar No.
238027
44 Montgomery St., 41st Floor
San Francisco, CA 94104
Tel.: (415) 293-6800
mmao@bsfllp.com
brichardson@bsfllp.com

James Lee (admitted pro hac vice)
Rossana Baeza (admitted pro hac vice)
100 SE 2nd St., 28th Floor
Miami, FL 33131
Tel.: (305) 539-8400
jlee@bsfllp.com
rbaeza@bsfllp.com

Alison L. Anderson, CA Bar No. 275334
M. Logan Wright, CA Bar No. 349004
725 S Figueroa St., 31st Floor
Los Angeles, CA 90017
Tel.: (213) 995-5720
alanderson@bsfllp.com
mwright@bsfllp.com

SUSMAN GODFREY L.L.P.

Bill Carmody (admitted pro hac vice)
Shawn J. Rabin (admitted pro hac vice)
Steven M. Shepard (admitted pro hac vice)
Alexander Frawley (admitted pro hac vice)
Ryan Sila (admitted pro hac vice)
1301 Avenue of the Americas, 32nd Floor
New York, NY 10019
Tel.: (212) 336-8330
bcarmody@susmangodfrey.com
srabin@susmangodfrey.com
sshepard@susmangodfrey.com
afrawley@susmangodfrey.com
rsila@susmangodfrey.com

Amanda K. Bonn, CA Bar No. 270891
1900 Avenue of the Stars, Suite 1400
Los Angeles, CA 90067
Tel.: (310) 789-3100
abonn@susmangodfrey.com

MORGAN & MORGAN

John A. Yanchunis (admitted pro hac vice)
Ryan J. McGee (admitted pro hac vice)
Michael F. Ram, CA Bar No. 104805
201 N Franklin Street, 7th Floor
Tampa, FL 33602
Tel.: (813) 223-5505
jyanchunis@forthepeople.com
rmcgee@forthepeople.com
mram@forthepeople.com

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIBAL RODRIGUEZ, SAL CATALDO,
JULIAN SANTIAGO, and SUSAN LYNN
HARVEY individually and on behalf of all
other similarly situated,

Plaintiffs,

v.

GOOGLE LLC,

Defendant.

Case No.: 3:20-cv-04688-RS

**DECLARATION OF MARK C. MAO IN
SUPPORT OF PLAINTIFFS' OMNIBUS
MOTIONS *IN LIMINE***

Judge: Hon. Richard Seeborg
Courtroom 3 – 17th Floor
Pretrial Conference: July 30, 2025
Time: 9:30 a.m.

DECLARATION OF MARK C. MAO

I, Mark Mao, declare as follows.

1. I am a partner with the law firm of Boies Schiller Flexner LLP (“BSF”), counsel for Plaintiffs in this matter. I am an attorney at law duly licensed to practice before all courts of the State of California. I have personal knowledge of the matters set forth herein and am competent to testify.

2. I submit this Declaration in support of Plaintiffs’ omnibus motions *in limine* to exclude certain evidence and arguments at trial.

3. On April 14, 2025, class counsel proposed a stipulation whereby Google would agree to not argue at trial that this litigation is “lawyer driven” and/or motivated by attorneys’ fees. On May 26, 2025, Google refused to agree to this stipulation. On June 4, 2025, counsel met and conferred regarding this and other proposed stipulations but were unable to reach an agreement, with Google indicating that it wished to preserve these arguments for trial.

4. On April 14, 2025, class counsel proposed a stipulation whereby Google would agree to not present arguments or evidence regarding the size and profitability of Plaintiffs’ law firms and the type of work done by those firms. On May 26, 2025, Google refused to agree to this stipulation. On June 4, 2025, counsel met and conferred regarding this and other proposed stipulations but were unable to reach an agreement, with Google indicating that it wished to preserve these arguments for trial.

5. On June 23, 2025, Mr. Cataldo decided to dismiss his claims, and class counsel informed Google of his intention to dismiss his claims the next day. Mr. Cataldo’s notice of dismissal is forthcoming.

6. On June 13, 2025, Google provided a preliminary list of exhibits it may introduce at trial. This list includes the following exhibits:

- Google Ex. 29: Google Analytics for Firebase Use Policy.
- Google Ex. 30: Google Analytics for Firebase Terms of Service.

- 1 • Google Ex. 114: Eliza Cambay's Objections and Responses to Google's First
- 2 Set of Interrogatories (Nos. 1–3), dated March 17, 2021.
- 3 • Google Ex. 115: Harold Nyanjom's Objections and Responses to Google's First
- 4 Set of Interrogatories (Nos. 1–3), dated March 17, 2021.
- 5 • Google Ex. 116: Julian Santiago's Objections and Responses to Google's First
- 6 Set of Interrogatories (Nos. 1–3), dated March 17, 2021.
- 7 • Google Ex. 118: JulieAnna Muniz's Objections and Responses to Google's
- 8 First Set of Interrogatories (Nos. 1–3), dated March 17, 2021.
- 9 • Google Ex. 119: Kellie Nyanjom's Objections and Responses to Google's First
- 10 Set of Interrogatories (Nos. 1–3), dated March 17, 2021.
- 11 • Google Ex. 123: Eliza Cambay's Objections and Responses to Google's First
- 12 Requests for Admission (Nos. 1–22), dated June 11, 2021.
- 13 • Google Ex. 124: Emir Goenaga's Objections and Responses to Google's First
- 14 Requests for Admission (Nos. 1–22), dated June 11, 2021.
- 15 • Google Ex. 125: Harold Nyanjom's Objections and Responses to Google's First
- 16 Requests for Admission (Nos. 1–22), dated June 11, 2021.
- 17 • Google Ex. 127: JulieAnna Muniz's Objections and Responses to Google's
- 18 First Requests for Admission (Nos. 1–22), dated June 11, 2021.
- 19 • Google Ex. 128: Kellie Nyanjom's Objections and Responses to Google's First
- 20 Requests for Admission (Nos. 1–22), dated June 11, 2021.
- 21 • Google Ex. 132: Eliza Cambay's Objections and Responses to Google's Second
- 22 Set of Interrogatories (Nos. 4–5), dated October 8, 2021.
- 23 • Google Ex. 133: Emir Goenaga's Objections and Responses to Google's
- 24 Second Set of Interrogatories (Nos. 4–5), dated October 8, 2021.
- 25 • Google Ex. 134: Harold Nyanjom's Objections and Responses to Google's
- 26 Second Set of Interrogatories (Nos. 4–5), dated October 8, 2021.
- 27
- 28

- Google Ex. 135: JulieAnna Muniz’s Objections and Responses to Google’s Second Set of Interrogatories (Nos. 4–5), dated October 8, 2021.
- Google Ex. 137: Kellie Nyanjom’s Objections and Responses to Google’s Second Set of Interrogatories (Nos. 4–5), dated October 8, 2021.
- Google Ex. 153: Sal Cataldo’s Objections and Responses to Google’s Fourth Set of Interrogatories (Nos. 8–9), dated August 17, 2022.
- Google Ex. 154: Susan Lynn Harvey’s Objections and Responses to Google’s Fourth Set of Interrogatories (Nos. 8–9), dated August 17, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 24th day of June 2025, at San Francisco, California.

/s/ Mark C. Mao
Mark C. Mao

Attorney for Plaintiffs